

**FLATHEAD COUNTY PLANNING BOARD  
MINUTES OF THE MEETING  
JUNE 9, 2010**

**CALL TO  
ORDER**

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. Board members present were Marie Hickey-AuClaire, Charles Lapp, Mike Mower Jim Heim, Jeff Larsen and Bob Keenan. Gordon Cross, Marc Pitman, and Frank DeKort had excused absences. Andrew Hagemeyer, Alex Hogle and Jeff Harris represented the Flathead County Planning & Zoning Office.

There were 12 people in the audience.

**APPROVAL OF  
MINUTES**

Keenan made a motion, seconded by Heim to approve the April 14, 2010 and April 21, 2010 meeting minutes.

On a roll call vote, the motion passed unanimously.

**PUBLIC  
COMMENT  
(not related to  
agenda items)**

Jim Clark, 128 Hill Dale Road, Somers, wanted to comment on the petition being circulated to repeal the growth policy. He wanted to ask the board to wait to see if the growth policy was repealed to continue work on the Lakeside Neighborhood plan or anything else related to the growth policy.

**COTTONWOOD  
ESTATES  
(FPP 10-01)**

A request by Cottonwood Estates, LLC for Preliminary Plat approval of Cottonwood Estates, a 91 lot single-family residential subdivision on 38.631 acres. Lots in the subdivision are proposed to connect to a public water and sewer system. The property is located off Helena Flats Road.

**STAFF REPORT**

Andrew Hagemeyer reviewed Staff Report FPP 10-01 for the Board.

**BOARD  
QUESTIONS**

The board and staff discussed the number of school aged children per household, when the subdivision was originally approved, overall growth density, the clarification of lot 76 and access to the lot.

**APPLICANT  
PRESENTATION**

Eric Mulcahy, Sands Surveying, gave a history of the previous application which timed out, why it timed out and how this application came to be. They had no problems with all the recommendations with the exceptions of two of them. Condition #17 concerned two crosswalks, and he explained what their concerns were which was why have a crosswalk that didn't go to

a road, there was no pedestrian right of way on the other side of the road. They were taking people across the road, but not giving them a place to walk. Condition #20 on lot 76 concerned the access to the lot. He explained what had been done to mitigate that concern.

**BOARD  
QUESTIONS**

The board and Mulcahy discussed the easement for lot 76, a previously approved engineering plan for the subdivision, the history of that plan, the water issues involved, a homeowners association plan for maintenance, permits for the wetlands, and lighting for the subdivision.

**AGENCY  
COMMENTS**

None.

**PUBLIC  
COMMENT**

Jack Fever 410 White Birch Lane, asked for clarification on the road to lot 76. He commented on the lighting issue in the middle of rural development and the density of small lots butting up against larger ones which had been there for around 30 years.

Judy Barkley, 320 White Birch Lane, was one of the people who would be affected by the subdivision. She was concerned about several issues, such as lighting and density but most of all the increase of traffic concerning Helena Flats Road and Hwy 35. She asked about a buffer zone between the existing lots and the subdivision and the children from the subdivision walking along a street where there were no sidewalks.

Franny Pidino, 330 White Birch Lane, was concerned with the buffer as well and the widths of the roads. She was concerned with the ifs and ands concerning serious issues associated with the subdivision.

**STAFF  
REBUTTAL**

Hagemeier handed out a written comment from the file.

**APPLICANT  
REBUTTAL**

None.

**BOARD  
DISCUSSION**

Mower wanted Hagemeier to outline the process concerning this subdivision since it was subject to both city and county criteria.

Hagemeier and Mulcahy explained the process and coordination involved in this subdivision.

The board and applicant clarified what standards the subdivision fell under.

The board, applicant and staff also discussed the possibility of a buffer zone, the public comment letter and lot widths and zoning.

**MAIN MOTION  
TO ADOPT  
F.O.F.  
(FPP 10-01)**

Heim made a motion seconded by Larsen to adopt staff report FPP 10-01 as findings-of-fact.

**BOARD  
DISCUSSION**

Lapp said the people who made public comment should look at the staff report and application which would address their concerns.

Mower asked for clarification on the second crossing.

Hagemeier said he felt kids would take the shortest route. He wanted to get the kids across the road the safest way possible. He continued to explain his position.

**ROLL CALL TO  
ADOPT F.O.F.  
(FPP 10-01)**

On a roll call vote the motion passed unanimously.

**BOARD  
DISCUSSION**

The board and Harris briefly discussed procedure to accept a variance on the application.

**MAIN MOTION  
TO ACCEPT  
VARIANCE  
(FPP 10-01)**

Larsen moved and Mower seconded to recommend the approval of the Variance to Section 4.7.18 of the Flathead County Subdivision Regulations.

**ROLL CALL TO  
ACCEPT  
VARIANCE  
(FPP 10-01)**

On a roll call vote the motion passed unanimously.

**MAIN MOTION  
TO  
RECOMMEND  
APPROVAL OF  
CONDITIONS  
(FPP 10-01)**

Mower made a motion seconded by Heim to adopt Staff Report FPP 10-01 and recommend approval to the Board of County Commissioners.

**SECONDARY  
MOTION TO  
AMEND  
CONDITION #17**

Lapp motioned and Larsen seconded to amend condition 17 to require a crosswalk only at the intersection of Helena Flats and Solberg Drive.

**BOARD  
DISCUSSION**

The board and staff discussed the benefits and disadvantages to having two crosswalks at length.

**ROLL CALL  
VOTE TO  
AMEND  
CONDITION #17**

On a roll call vote the motion failed 1 to 5 with Lapp agreeing.

**BOARD  
DISCUSSION**

The board, staff and Mulcahy discussed what standards the road to lot 76 should be built to and how it should look at length.

**SECONDARY  
MOTION TO  
AMEND  
CONDITION #20**

Larsen motioned and Keenan seconded to amend Condition #20 to allow the applicant to build a 12 foot driveway off the end of Rye Grass Road in the 60 foot road and utility easement instead of extending the road to allow physical access to lot 76.

**BOARD  
DISCUSSION**

The board and staff discussed the differences between a public easement and driveway.

**ROLL CALL TO  
AMEND  
CONDITION #20**

On a roll call vote the motion passed unanimously.

**BOARD  
DISCUSSION**

The board briefly discussed a buffer zone between the subdivision and existing property.

**ROLL CALL TO  
RECOMMEND  
APPROVAL OF  
(FPP 10-01)**

On a roll call vote the motion passed unanimously.

**BOARD  
DISCUSSION**

The board took a five minute break.

**The board reconvened at 7:09.**

**STRICKLAND,  
EDRESEN &  
FRASER  
(FZC 10-03)**

A Zone Change request in the West Side Zoning District by Strickland, Endresen and Fraser. The proposal would change the zoning on 45.52 acres, from SAG-10, West Valley Overlay to SAG-5, West Valley Overlay. The properties are located west of Kalispell, MT off Three Mile Drive on Eastview Drive.

<b>STAFF REPORT</b>	Andrew Hagemeyer reviewed FZC 10-03 for the board.
<b>BOARD QUESTIONS</b>	None.
<b>APPLICANT PRESENTATION</b>	Mike Fraser, applicant, explained the geographical features of the land, gave a history of the property, lot sizes of developments around the property, and the impacts of the zone change on the surrounding area, etc.
<b>BOARD QUESTIONS</b>	<p>Mower asked to speak to Gary Krueger, chair of the West Valley Land Use Committee who was in the audience. He asked if there were any issues with the advisory board.</p> <p>Krueger said he had recused himself although he was in attendance. He reported there were no concerns and the committee seemed fully in favor of the zone change and recommended approval.</p>
<b>AGENCY COMMENTS</b>	None.
<b>PUBLIC COMMENT</b>	None.
<b>APPLICANT REBUTTAL</b>	Fraser said the staff report was excellent and commended staff on their work.
<b>STAFF REBUTTAL</b>	None.
<b>BOARD DISCUSSION</b>	<p>Lapp asked about discrepancies between the West Valley Zoning District and West Valley Overlay concerning the application.</p> <p>Hagemeyer said the West Valley Overlay would override the West Valley Zoning District.</p> <p>Hagemeyer and Lapp clarified what the zoning district and overlay covered briefly.</p>
<b>MAIN MOTION TO ADOPT F.O.F. (FZC 10-03)</b>	Larsen made a motion seconded by Heim to adopt staff report FZC 10-03 as findings-of-fact.

**BOARD  
DISCUSSION**

None.

**ROLL CALL TO  
ADOPT F.O.F.  
(FZC 10-03)**

On a roll call vote, the motion passed unanimously.

**MOTION TO  
RECOMMEND  
APPROVAL  
(FZC 10-03)**

Larsen made a motion seconded by Keenan to adopt Staff Report FZC 10-03 and recommend approval to the Board of County Commissioners.

**BOARD  
DISCUSSION**

None.

**ROLL CALL  
TO  
RECOMMEND  
APPROVAL OF  
(FZC 10-03)**

On a roll call vote the motion passed unanimously.

**COMMITTEE  
REPORTS**

Hickey Au-Claire asked if Committee B had anything to report.

Mower said they decided to put the LTR in front of the board.

Harris said it was tentively scheduled for July 14, 2010 for a public hearing.

Hickey Au-Claire said Committee A had not met so there was nothing to report.

**OLD BUSINESS**

Harris said there was an item regarding the Flathead County Transportation Plan. He said the planning board needed to forward a recommendation to the commissioners concerning the plan. He spoke about the contract with Peccia and Associates nearing an end.

The board and Harris discussed at length RAC's decision concerning a recommendation on the plan and the reasons behind that recommendation, the problems in the document, and whether it was a long term planning document or a short term planning document on which the road department would base their budget and which roads would be paved. They also discussed what value there was in the plan and how it could be

used, impact fees which were in the original scope of the project, were no longer an issue, what place the plan would take in of the growth policy if any and the relevance of the plan since the growth pattern of the Flathead Valley had changed. The process Peccia needed to go through to close the contract, the possibility of forwarding no recommendation to the commissioners, the issue of impact fees concerning the plan, the scope of work encompassed, no way to raise the capital to implement the recommended improvements and the history of the plan for impact fees in the county were also discussed. The board also discussed possible recommendations.

The board felt that the current situation was sufficiently different from the time when the professional services contract was approved. The original scope of the project would need to be adjusted to meet the current condition of Flathead County. It was recommended that the County close out the contract with Robert Peccia and Associates.

The board discussed who planned to attend the next meeting.

#### **NEW BUSINESS**

Alex Hogle explained the Trails Master Plan to the board, gave a history of the plan and asked for direction as to whether or not to hold a workshop or a public hearing for the plan.

The board consensus was for a public hearing. The hearing was agreed upon for July 21, 2010.

The board wanted to make sure there was adequate public notice for the hearing.

Harris brought up a Flathead Builders Association seminar which needed to be rsvp'd by the next day.

Lapp explained briefly what the seminar would include.

Harris attained a rough head count

Lapp asked for clarification on what the board needed to be ready to discuss for the Lakeside Neighborhood Plan workshop on 6/16/10.

The board briefly discussed what information was available.

Mower wanted to tell Harris, BJ Grieve attended an early morning meeting and spoke about planning and answered tough questions. Grieve did an excellent job and Mower had positive feedback about him as a speaker. He said staff needed to do more outreach like that.

**ADJOURNMENT** The meeting was adjourned at approximately 8:25 pm. on a motion by Hickey-AuClaire. The next meeting will be held at 6:00 p.m. on July 14, 2010.

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Gordon Cross, President

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Donna Valade, Recording Secretary

*APPROVED AS SUBMITTED/CORRECTED: \_\_\_\_/\_\_\_\_/10*